

## **District II Advisory Board Minutes**

**April 4, 2005**

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The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library, 5939 E. 9<sup>th</sup> Street North. Eight board members, two youth representatives, five staff and approximately six citizens were in attendance. Only those individuals who signed in are listed as guests below.

### **Members Present**

Brian Carduff  
Daryl Crotts  
Sarah Devries  
Tim Goodpasture  
Joe Johnson  
David Mollhagen  
Phil Ryan  
Dane Saksa\*  
Kaci Tucker\*  
Marty Weeks  
Council Member Sue Schlapp

### **Members Absent**

Ray Frederick  
Larry Frutiger  
Matt Hesse

### **Staff Present**

Stephen Banks, MAPD  
Kelli Glassman, Neighborhood Assistant  
Dale Miller, MAPD  
Officer Parker, Patrol North  
Officer Phelps, Patrol South

### **Guests**

\*Youth Representative

Beth Oaks, 7423 Oxford Ct.  
Bruce Smith and Sherry, 8105 E Zimmerly  
Bob Weeks, 2451 Regency Lakes Ct.

## **ORDER OF BUSINESS**

### **CALL TO ORDER**

The meeting was called to order at 6:58 p.m.

### **APPROVAL OF MINUTES AND AGENDA**

The agenda for April 4, 2005 was approved as submitted (**Mollhagen/Carduff: 8-0**).

The meeting minutes for March 7, 2005 were approved as submitted (**Carduff/Mollhagen: 8-0**).

### **PUBLIC AGENDA**

#### **1. Scheduled items**

**Bob Weeks** made a short presentation in which he expressed his belief that the City of Wichita should not continue to subsidize Wichita's low-fare air carrier AirTran.

The board heard thanked Mr. Weeks for his presentation and discussed the need for a low fare air carrier in Wichita to continue attracting businesses to Wichita and maintain competitive airfare rates. If rider ship on AirTran continues to increase, then subsidies provided to AirTran can be eliminated.

## 2. Off-agenda items

### OLD BUSINESS

### 3. Community Advisory Council

**Beth Oaks, Community Council on Homeless Advocacy (CCHA) board member**, presented information on the mission of this group at the last meeting.

The CCHA is an advisory group that provides leadership and advocacy on behalf of the homeless population, for the Wichita/Sedgwick County community. The CCHA also oversees the annual Continuum of Care application for Federal funding to support programs that serve the homeless, and provides input in the allocation decisions for the City's annual Emergency Shelter Grant allocation.

The Community Advisory Council is a standing committee of the CCHA. The Community Advisory Council comes together to prioritize the individual agency applications for the annual U. S. Department of Housing and Community Development (HUD) Super NOFA (Notice of Funding Availability) grant that provides funding for transitional, supportive and permanent housing to the homeless population. The Super NOFA grant contributes funds in excess of \$1 million in homeless assistance to this community annually.

The annual commitment will consist of 7 to 10 hours of meeting time over a one-month period. The commitment includes both an orientation/training meeting and one or two presentation/ranking meetings. Agency applications are usually due in April or May and committee selection usually takes place in the summer.

HUD regulations require a strong level of community participation in the application review process. For this reason, City staff and Community Advisory Council members are recruiting additional community participation and request that the board designate one or two board members to volunteer(s) to serve on the Community Advisory Council. Therefore, all District Advisory Boards are being approached because of the level of community interest already expressed through the membership on these Boards.

At the March 7 meeting, the DAB suggested that designation of representative(s) to the Community Advisory Council be further considered and deferred until the next meeting.

**Beth Oaks** was present and informed the Board that this Council will meet May 20, 23, & 24 from 11:30 a.m. to 1:30 p.m. at United Way of the Plains. **Dane Saks**a had originally agreed to volunteer as representative, but had to decline since the meeting dates were held before school is out for the summer.

**Action Taken:** The board moved that Kelli Glassman be designated to represent the Board on the Community Advisory Council. Motion passed 8-0.

## **STAFF PRESENTATIONS**

### **4. Community Police Report**

**Officer Johnny Parker, Patrol North**, presented the Board with a report on a couple of current community policing issues in District II.

**Officer Parker** made the Board aware of Mirror Inc. on Toban Street. This is a halfway house for sexual offenders and activity in this area will continue to be monitored.

**Officer Parker** also stated that there was excessive noise and littering occurring at Mulligan's, but a month of intensive police enforcement has eliminated citizen complaints.

The Board thanked **Officer Parker** for his presentation.

**Action Taken:** Received and filed.

### **5. Community Events Ordinance**

**Officer Phelps, Patrol South**, was present to present the Board with this issue and address any questions or concerns.

The City has operated for many years using an established practice to assist citizens who request use of public property for a "special event." The process includes use of procedure guidelines and city code information through an application process. Applications are submitted to the City Manager's Office for use of general public property, Parks & Recreation Department for park property, and City Arts for Old Town Plaza.

Although the process has been effective, challenges exist for both applicant and staff due to a variety of approval processes and issues associated with frequency, uniqueness and time constraints of requests. Therefore, a new ordinance for Community Events is proposed to simplify the application process for citizens. In addition to providing one central point for submitting applications, the proposal directly addresses issues of code compliance, safety, and consideration of residents with respect to property access, noise, and lighting for surrounding neighborhoods. An interdepartmental committee review process will continue to be used to identify options for any concerns related to public health and safety associated with an application. In addition, the committee review and advisement will provide consistency in approvals and compliance while working directly with the applicant to resolve issues.

In addition to the creation of the proposed new ordinance for Community Events, the following revisions to existing city codes are recommended. These ordinances have been drafted by the Law Department and are approved as to form.

1. Noise: Creation of Sections 7.41.042, 7.41.043 and 7.41.045
  - Created to address sound associated with event, typically amplified music
2. Conduct in the Park: Creation of Sections 9.04.030, 9.04.040, 9.04.080 and 9.04.190 and repeal of the originals 9.04.030, 9.04.040, 9.04.070, 9.04.080 and 9.04.190.

- Created and amended sections associated with approval of community events, parades, and sound
3. Obstructing Streets and Sidewalks: Amendments to Sections 10.04.130
- Amended to allow obstructions associated with approved community event

Furthermore, no fee is currently associated with a community event. The proposed fee schedule is based on time of application submittal. Fees for a community event permit are based upon the date filed in person, electronically, by facsimile or postmarked as follows:

Forty-five (45) business days or more prior to the event	\$ 50.00
Thirty (30) to forty-four (44) business days prior to the event	\$ 100.00
Twenty-nine (29) to twenty (20) business days prior to the event	\$ 150.00
Nineteen (19) to fifteen (15) business Days prior to the event	\$ 200.00

Applications shall not be accepted by the Community Event Committee less than fifteen (15) business days prior to the event and are non-refundable.

This ordinance was presented to the City Council and the Council requested that this matter be presented to all District Advisory Boards for further input before approval.

The board asked for clarification on why block parties were included in this ordinance when the ordinance will not apply to block parties. It was further requested that any additional comments on this ordinance be forwarded to Kelli Glassman or Dana Brown

**Action Taken: Daryl Crotts (Ryan)** moved to recommend that the City Council approve the proposed Community Events ordinance subject to clarification on the inclusion of block parties in this ordinance. Motion passed 8-0.

*Note: The board received explanation that block parties were mentioned in this ordinance due to the fact that even though this ordinance will not pertain to block parties, they are included in order to establish a written procedure for approving these requests, as there is currently no written procedure in place for approval of either block party or community event requests.*

## **PLANNING AGENDA**

### **6. ZON2005-06; CUP2005-09**

**Dale Miller, MAPD**, described the requests and responded to questions from the Board.

The applicant, PMA INC, c/o Paul J. Foley Jr. through MKEC Engineering Consultants Inc. c/o Greg Allison, requests a zone change from SF-5 to LC, Limited Commercial on two tracts: 1.01 acres located along North Webb Road, and .16 acres (a 20-foot wide strip) located along East 13th Street North. These two tracts are adjacent to an existing 5.97 acre tract that is currently zoned LC. The applicant desires to combine all three tracts to create DP-282, The Foliage Center Commercial Community Unit Plan proposed for commercial use. The site is currently vacant, and has extensive berming and landscaping.

The applicant further proposes a 7.14-acre C.U.P with two parcels. Parcels 1 (6.22 acres), and 2 (.92 acres) are both proposed for “LC” Limited Commercial and “GO” General Office uses, except: adult entertainment, residential use, cemetery, church or place of worship, school K-12, college or university, community assembly, convalescent care facility, group home, hospital, recycling process center, reverse vending machine, pawn shop, utility, car wash, construction sales and service, nightclub, tavern and drinking establishment, vehicle repair, vocational school, wireless communication facility, asphalt or concrete plant, or storage. Proposed access to 13th Street North is with one full movement opening and one right-in/right-out only opening. Proposed access to Webb Road is with two full movement openings. Proposed access points do not meet the City of Wichita Access Management Policy.

MKEC staff was also present and discussed working with the area neighborhood association to create a less intensely developed area to promote better access and safety at this location. Citizens in attendance were given the opportunity to express their concerns, but none spoke.

Based upon information available prior to the public hearings, MAPD staff recommends the following:

- Approve the zone change (ZON2005-06) to “LC” Limited Commercial;
- Approve the Community Unit Plan DP-282 (CUP2005-09), subject to the following conditions:
  1. Transportation requirements:
    - a. All CUP right-of-way improvements and openings shall be configured to meet the requirements of the Access Management Policy, with the exception that a full movement opening on 13<sup>th</sup> Street shall align with the opening on the south side of 13<sup>th</sup> Street. This shall be the only opening onto 13<sup>th</sup> Street. Center turn lane improvements on arterial streets, and right-turn lane improvements shall be based on access to openings, and shall be set by the Traffic Engineer. The Traffic Engineer and Director of Planning shall approve the reconfigured right-of-way and openings.
    - b. General Provision #13b shall be amended to state: “Guarantees for street improvements on Webb Road and 13<sup>th</sup> Street North shall be determined by the Traffic Engineer at the time of platting.”
  2. General Provision #6 shall be amended to eliminate the words “along Village Parkway.”
  3. General Provision #7b shall be amended to add the sentence: “Screening material shall be consistent in material and color with the supported buildings.”
  4. General Provision #9f shall be amended to reduce the number of business use or name identification signs on Parcel 1 from three to two.
  5. General Provision #10d shall be amended to add the sentence: “Light poles shall be reduced to 14 feet when within 100 feet of residential zoning.”
  6. General Provision #14 shall be amended to add the following sentence “A drainage plan shall be submitted to the City Engineer for approval. Required guarantees for drainage shall be provided at the time of platting improvements.”
  7. A General Provision shall be added to state: “A pedestrian circulation plan shall be approved by the Planning Director prior to the issuance of building permits. Said plan shall link all buildings in the development with the arterial sidewalks on Webb Road and 13<sup>th</sup> Street North.”

8. A General Provision shall be added to state: “Fire lanes shall be in accordance with the Fire Code of the City of Wichita. No parking shall be allowed in said fire lanes, although they may be used for passenger loading and unloading. The Fire Chief or his designated representative shall review and approve the location and design of all fire lanes. Fire hydrant installation and paved access to all building sites shall be provided for each phase of construction prior to the issuance of building permits.”
9. The north and west building setback shall be increased from 30 feet to 35 feet.
10. All property included within this C.U.P. and zone case shall be platted within one year after approval of this CUP by the Governing Body, or the cases shall be considered denied and closed. The resolution establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.
11. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-282) includes special conditions for development on this property.
12. The applicant shall submit 4 revised copies of the C.U.P. to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

**Action Taken: Tim Goodpasture (Mollhagen)** moved to approve ZON2005-06 and CUP2005-09 subject to the conditions listed above. Motion passed 8-0.

## **7. Wichita-Sedgwick County Comprehensive Plan Amendments**

**Stephen Banks, MAPD**, presented the item.

The Wichita-Sedgwick County Comprehensive Plan, covering the City of Wichita and unincorporated Sedgwick County, was last amended in January 2002. The Board was presented for their review a copy of proposed Plan amendments under consideration by the Metropolitan Area Planning Commission.

In addition to updating the *2030 Wichita Functional Land Use Guide Map*, the Plan amendments focus on revising the *Wichita and Small Cities 2030 Urban Service Areas Map*. These 2030 urban service areas are not prescriptive or binding in nature, but serve only as a reasonable indication as to where future municipal services may be extended/available by the year 2030.

No significant plan policy changes are being proposed as part of this update to the Comprehensive Plan. The metropolitan-wide “visioneering” initiative currently underway will provide important community direction regarding any major future changes that may be necessary to the current goals and policies of the Comprehensive Plan.

The proposed *2030 Wichita Functional Land Use Guide Map* has been reformatted to reflect functional land use classifications rather than site-specific, facility-based uses. The map also reflects new development activity occurring since January 2002 within the City of Wichita.

The proposed *Wichita and Small Cities 2030 Urban Service Areas Map* has been revised to reflect the following considerations:

1. Municipal annexations that have occurred since 2002.
2. Revised metropolitan-wide population and employment projections completed in March 2004.
3. Necessary adjustments to the small city 2030 urban service areas.
4. Necessary adjustments to Wichita's 2030 urban service area.

MAPD staff met last year with key officials from each city in Sedgwick County. Information was obtained on comprehensive plans, future municipal service extension plans and expectations for future population growth. This information revealed areas of overlapping growth aspirations amongst several cities. A series of planning summits sponsored by Sedgwick County, as well as a special meeting of the Sedgwick County Association of Cities (SCAC) were held to help discuss and resolve competing growth issues. The proposed revisions to the *Wichita and Small Cities 2030 Urban Service Areas Map*, dated January 2005, reflect the assessment of the Metropolitan Area Planning Commission regarding the realistic capabilities and capacities of municipalities in Sedgwick County to deliver future sanitary sewer and water services over the next 25 years.

Also under consideration are proposed new Plan objective and strategy statements to support recent regional collaboration initiatives related to long-term municipal water supply, storm water and floodplain management, and economic development.

The following opportunities have been created to allow community and public feedback on the proposed amendments to the Comprehensive Plan:

1. Copies of the proposed *2030 Wichita Functional Land Use Guide Map*, the *Wichita and Small Cities 2030 Urban Service Areas Map* and the Plan policy amendments mailed to each township and municipality in Sedgwick County, for review and comment.
2. A presentation on the proposed Plan amendments to the Visioneering Wichita Board on February 14<sup>th</sup>.
3. A public information meeting on February 24<sup>th</sup> at the Sedgwick County Extension Building to allow the general public opportunity to comment on the proposed Plan amendments. Letters mailed to all HOA and Neighborhood Associations advising of this meeting.
4. A special meeting of SCAC (Sedgwick County Association of Cities) on March 12<sup>th</sup> to make presentations and receive final feedback on the proposed Plan amendments.
5. Presentations on the proposed Plan amendments in March and April to all six Wichita District Advisory Boards.
6. A public hearing of the MAPC on Thursday, April 28<sup>th</sup>, 10<sup>th</sup> Floor of City Hall, Large Conference Room, at 1:30 p.m.

The Board reviewed the provided information and felt comfortable with the changes that were being proposed with the understanding that these amendments will assist the County Commission in taking action in annexation and related growth development matters between cities. Even though the growth boundaries are not firmly established through this, it will serve as a guide for all cities to follow when annexing land.

**Action Taken:** **Brian Carduff (Ryan)** moved that the proposed January 2005 amendments to the Wichita-Sedgwick County Comprehensive Plan be approved. Motion passed 8-0.

## **BOARD AGENDA**

### **8. Updates, Issues, and Reports**

A new roof to replace the current blue roof on a building at 21<sup>st</sup> Street North and Webb Road has been purchased. However, due to a fire at the factory where the roof is being made, the completion of the roof will be delayed a couple of months.

**With no further business, the meeting adjourned at 8:07 p.m.**

The **next DAB II meeting** will be **May 2, 2005** at the Rockwell Branch Library.